

51270-277015
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hiromi OKITSU

Serial No.: 09/982,404

Filed: October 18, 2001

For: *APPARATUS FOR RESPONDING TO
SOUND AT A REMOTE TERMINAL*

Examiner: A. ARMSTRONG

Art Unit: 2654

Confirmation No.: 8098

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450, on

September 8, 2005
Date of Deposit

Roger R. Wise, Reg. No. 31,204

Name

Signature

9/8/2005
Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)

Applicant submits herein below a Terminal Disclaimer disclaiming the terminal part of the statutory term of any patent granted on U.S. Patent Application Serial No. 09/982,404, filed October 18, 2001 which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,421,644. The undersigned attorney for the Applicant hereby authorizes the Office to charge the \$130.00 fee required under 37 C.F.R. § 1.321(c) and specified in 37 C.F.R. § 1.20(d) to Deposit Account No. 16-1805.

OWNERSHIP

Your Petitioner, YAMAHA CORPORATION, having its principal place of business at 10-1 Nakazawa-cho, Hamamatsu-shi, Shizuoka-ken, Japan, represents that it is the owner of the entire right, title, and interest in and to U.S. patent application serial No. 09/361,094, now U.S. Patent No. 6,421,644 (“the ‘644 patent”), issued January 16, 2002. The ownership is evidenced by the recording of the assignment for the ‘644 patent in the United States Patent and Trademark Office at Reel 010127, Frame 0810. The assignment documents have been reviewed, and YAMAHA CORPORATION certifies that to the best of its knowledge and belief, title to the ‘644 patent is in YAMAHA CORPORATION (37 C.F.R. § 3.73(b)).

YAMAHA CORPORATION also represents that it is the assignee of the entire right, title, and interest in and to above-identified U.S. patent application serial No. 09/982,404 (“the ‘404 application”), filed October 18, 2001. The ownership is evidenced by the recording of the assignment for the ‘644 patent in the United States Patent and Trademark Office at Reel 010127, Frame 0810 because the assignment provides that the assignors “authorize[] and request[] the Commissioner of Patents to issue any and all Letters Patents of the United States resulting from said application or any division or divisions or continuing applications thereof to [YAMAHA CORPORATION], as assignee of the entire interest” Therefore, YAMAHA CORPORATION is the assignee of the entire right, title, and interest in and to the ‘404 application because the ‘404 application is a continuation of the application which matured into the ‘644 patent.

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TERMINAL DISCLAIMER

YAMAHA CORPORATION hereby disclaims the terminal part of any patent granted on the '404 application which would extend beyond the date of the full statutory term of the '644 patent. YAMAHA CORPORATION hereby agrees that any patent so granted on the '404 application shall be enforceable only for and during such period that the legal title to said patent shall be held by the same entity holding the legal title to the '644 patent. This agreement is to run with any patent granted on the '404 application and to be binding upon the grantee, its successors, or assigns.

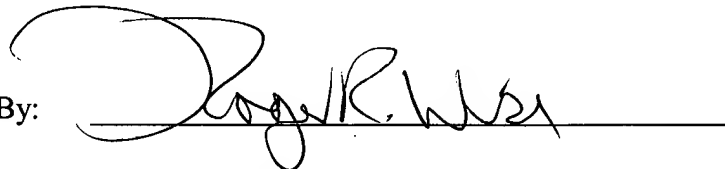
YAMAHA CORPORATION does not disclaim the terminal part of any patent granted on the '404 application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 and 173 of the '644 patent, in the event that such patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a); has all claims canceled by a reexamination certificate; is reissued; or is otherwise terminated prior to expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby aver that I have the authority of YAMAHA CORPORATION to make all statements, representations, and agreements set forth herein and that I am empowered to sign this document on behalf of YAMAHA CORPORATION.

Date: September 8, 2005

By:

A handwritten signature in black ink, appearing to read "Roger R. Wise", is written over a horizontal line.

Roger R. Wise
Registration No. 31,204
Customer Number 27496
Attorney for Applicant
Attorney for Yamaha Corporation

PILLSBURY WINTHROP SHAW PITTMAN LLP
725 South Figueroa Street, Suite 2800
Los Angeles, CA 90017-5406
Telephone: (213) 488-7100
Facsimile: (213) 629-1033



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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL for FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130

Complete if Known

Application Number	09/982,404
Filing Date	October 18, 2001
First Named Inventor	Hiromi OKITSU
Examiner Name	A. Armstrong
Art Unit	2654
Attorney Docket No.	51270-277015

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 161805 Deposit Account Name: PILLSBURY WINTHROP SHAW PITTMAN LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fees(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fee Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150 100	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description	Small Entity	
	Fee (\$)	Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims 23** Extra Claims Fee (\$) Fee Paid (\$) Multiple Dependent Claims

23 0 0.00 0.00 Fee (\$) Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20

Indep. Claims 7 Extra Claims Fee (\$) Fee Paid (\$)

7 0 0.00 0.00

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)

_____ - 100 = /50= (round up to a whole number) x 250.00 = _____

4. OTHER FEE(S)

Non-English Specification, 130 fee (no small entity discount)

Other: Terminal Disclaimer

Fee Paid (\$)

130.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	31,204	Telephone	213-488-7584
Name (Print/Type)	Roger R. Wise	Date	September 8, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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